

HARVEY P. SACKETT

# SACKETT AND ASSOCIATES

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A PROFESSIONAL LAW CORP.

1055 Lincoln Avenue  
Post Office Box 5025  
San Jose, California 95150-5025  
Telephone: (408) 295-7755  
Facsimile: (408) 295-7444

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JAY S. LINGENFELTER, ) No.: 3:12-cv-03114-JST

)

Plaintiff,

1

v. ) STIPULATION AND ORDER FOR  
     ) DISMISSAL

CAROLYN W. COLVIN,<sup>1</sup> )

Acting Commissioner, )

Social Security Administration )

Defendant.

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Plaintiff and Defendant, through their respective attorneys, hereby stipulate that this matter be dismissed in its entirety without prejudice. Each party shall bear their own attorney's fees and costs.

<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Commissioner Michael J. Astrue as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

MELINDA L. HAAG  
United States Attorney

Dated: April 15, 2013

/s/

**ANNABELLE J. YANG**  
Special Assistant U.S. Attorney  
Social Security Administration  
Attorney for the Defendant

Dated: April 15, 2013

/s/

HARVEY P. SACKETT  
Attorney for Plaintiff  
JAY S. LINGENFELTER

IT IS SO ORDERED.

Dated: April 15, 2013

HON. JON S. TIGAR  
United States District Judge